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R E M A R K S

ON THE

LETTER OF MR. BURKE,

4

TO A

MEMBER OF THE NATIONAL ASSEMBLY;

WITH

SEVERAL PAPERS in Addition to the REMARKS on the
REFLECTIONS of Mr. BURKE on the
REVOLUTION in FRANCE.

Parmi nous, il est vrai, Socrate n'eut point bu la ciguë; mais il eut bu dans une coupe encore plus amère la raillerie insultante, et le mépris, pire cent fois que la mort. Discours sur cette Question, si le rétablissement des Sciences et des Arts a contribué à épurer les mœurs.

"Il rabaissera son Génie" aux préjugés "de son siècle: & aimera mieux composer des ouvrages qu'on admirera pendant sa vie que des merveilles qu'on n'admireroit qu'après sa mort. Dites nous célébré combien vous avez sacrifié de beautés mâles & fortes à notre Gout perverti;" et combien l'esprit "railleur" si fertile en petites choses, vous en a coûté de grandes.

BY CAPEL LOFFT, Esq.

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R E M A R K S

ON THE

LETTER OF MR. BURKE

MEMBER OF THE NATIONAL ASSEMBLY

WITH

SEVERAL OTHERS IN ANSWER TO THE REMARKS ON THE
REMARKS OF MR. BURKE



Printed and sold by J. DODD, at the British Museum, in the Strand, London.

BY CAPTAIN LORT BRIDGE

LONDON:

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R E M A R K S.

WHEN I had concluded, as I thought, all which I should have to observe on Mr. BURKE's sentiments and language relative to the REVOLUTION in FRANCE, and to principles and circumstances connected with that event, I was informed yesterday, by a Lady, of another Letter of Mr. *Burke*, printed at *Paris*, and reprinted in *London*. I sent for it immediately: and have this evening obtained and read it. Possibly it will be investigated more fully by others: who may think the consequence of the Name by which it is sanctioned, and the seductions of its manner, a sufficient reason for attacking it in form. Published as it is, when this Edition of my Remarks is nearly through the press, I cannot

not pass it in total silence; neither do I see any reason for discussing it in detail. But as it may be thought to have suggested a part of the additions which the Reader may have noticed, I can only assure those who may naturally have such an opinion, that the additions were all made before I had seen a line of this new production, or so much as heard of it. By having thus far accidentally, and on occasion only of Mr. *Burke's* former Letter, anticipated much of what I should have said in this, my present Task is confined within narrower limits.

A *Task* I call it, though I have assigned it myself: not from any difficulty in the points it will require to be treated; but for the pain which must be felt in considering the objects which Mr. *Burke* has represented as worthy of ridicule, of contempt and detestation, and in comparing the emotions they excite in my mind with those which he exerts every effort to excite in the mind of Princes and of Nations. The topics of his invective would be utterly unaccountable to me, if they were not in some degree explained by those of his panegyric and approbation. The engines he would set in motion for the destruction of
the

the present Constitution of *France*, I should have thought equally impossible to have occurred to the considerate and experienced statesman and the mild philanthropist. But I think, unless the princes of *Europe* are planet struck indeed, he will not find in their councils, and still less in their actual arrangements, the *Desideratum* of *Archimedes*, the place on which the *Fulcrum* is to rest which should dislodge the earth out of its position; or—and the atchievement proposed may be as easy as the type adopted to express it,—subvert the Constitution which the People of France have chosen.

Several pages in the beginning of this second Letter I have passed without much particularly to notice. I confess the apology for preferring the *Report* of the *Committee*, as Evidence of the *actual Constitution* of *France*, to the *Decree* of the *National Assembly**, because the design of the Architects was to be preferred to the execution of the Masons as better suited to enable us to comprehend the scheme of the building, is to me extraordinary: and I suppose to others, since when a

* P. 2.

building is actually erected, it is commonly supposed that an accurate drawing of it in its exterior and internal, gives a more complete and just idea than a plan which has been in part rejected. Sir *Christopher Wren* had designed a plan of *St. Paul's*, materially different from the present structure of that beautiful and noble edifice. I apprehend we should not be referred to that design, to inform us what *St. Paul's* actually is. And I imagine Mr. *Burke* would be ill inclined to examine the *Reports of Committees* on the Journals of either House, to satisfy himself or others relative to the actual Provisions of any statute; which, having passed with Amendments, is to be found in our *Acts of Parliament*.

In general, the first pages of this latter performance, when an Author writing at a distance from the object of his investigation is usually the coolest, present no distinct reasoning, information of fact, simple principle, or clear specific assertion. There is pleasantry to a wonderful degree;—for a Senator of this country, who feels the dignity of his character and situation. Pleasantry, which a man of sensibility and humanity * seems to have

* P. 18.

felt required some explanation when applied to the state and circumstances of a great and illustrious Nation suffering, in his idea, the most desperate, the most unexampled and boundless calamities. There is description—but I doubt it is the description of the Poet who has crowded into his fancy, warmed and agitated to excess, *non bene junctarum discordia semina rerum*, every contrariety which imagination could suggest, and has dignified this ideal Chaos with the Name of the Constitution and Government of *France*. There is delineation of character without reserve: for in some few touches, masterly no doubt as they are rapid, and easy, and strong, the NATIONAL ASSEMBLY is sketched. But how to appropriate, how to discriminate and ascertain the resemblance, the animated haste of the right honourable artist, has not waited to inform us. Mr. *Burke* much better knows the *Parliament of England*; doubtless if he would grace the canvas with *that*, we should have a glorious proof how much, individually and collectively, it maintains a transcendant superiority over the National Assembly. The causes and the circumstances,

and the particulars which establish this superiority are overpast: “ *vitæ postscenia celat* :” engaged in the practice of administering the blessings (it might have been said rather of resisting, as he has frequently, the abuses, and obviating or mitigating the consequent evils) of the Constitution, he declines the *Theory*. He leaves *France* uninformed of ingredients, the composition, the benignant poisons, the efficacious palliatives which enter so largely into the *panacea*, as at present formed; and taken by the People of this Island.

Mr. BURKE, as a Member of that Assembly which he adorns, and whose dignity he supports, has indeed in the Letter which preceded the immediate subject of my present Remarks, done splendid justice to the Parliament of this Country: and has unquestionably not said too little in its commendation in a certain view. It is celebrated as “ *filled, by the pure operation of adequate causes* *,” (what those are he is prudently reserved, *Causa latet, vis est notissima*,) *with every thing illustrious in rank, in descent, in hereditary and acquired opulence; in cultivated talents, in military, civil,*

* P. 64, 5.

naval,

naval, and political distinction *, *that the country can afford.*" In this grand enumeration it is indeed observable, that station, birth, opulence, lead the van in full and pompous array : in which, however dazzling the general effect, however conspicuous the aristocratic pre-eminence, we can distinguish the banners of another species of *oligarchy*, that

* Both Letters abound with distinctions of the mode. I wish they had more of distinctions real and immutable. A people accustomed to think highly of these adventitious and little pre-eminences, will lose of the high sense of virtue, of truth, and freedom. *Non, il n'est pas possible que des esprits dégradés par une multitude de soins futiles s'élèvent jamais au rien de grand : et quand ils auroient la force, le courage lui manqueroit.* Discours qui a remporté le prix à Dijon.

But for the value of these distinctions, I would refer to the sentiments of an Author, for whom Mr. *Burke* has a double motive of partiality : as he was a man of the most *classic* taste and style, and a *Bishop* : and in other respects he was such a man, that his opinions, in general, have no need of partiality to support them. If another *Milton* were to arise, and give the world a *Defensio Populi Gallicani*, he might quote them without any alteration.

Una omnibus Libertas : una generis Nobilitas ab antiquissimâ stirpe deducta : nulli inanes tituli, aut falsa gloriæ insignia : vix ulli honorum et dignitatis gradus ; nisi ut cuique ex VIRTUTE, prudentiâ, provecâ etate, aut BENE GESTA REPUBLICA accessere. Lowth, de S. Poet. VII.

of

of acquired wealth,—official consequence in its several divisions closes the rear, brilliant with the derived lustre of regal power : and a column is almost latent in the centre, consisting of those who have the natural endowments improved by application and experience. These are posted, like the doubtful troops arranged by the advice of *Nestor*, secured on both sides by legions of sure trust : and I believe it is found these tactics have their effect ; not only to secure but to assimilate : this iron phalanx, so unimposing in its exterior, melting into the ranks which surround it ; till the blaze of gold, and of plummy helms, and of silken softness, blends, in much less than a septennial probation, nearly the whole into perfect union. At present, fine as it is in the brilliant delineation of *Mr. Burke*, it has but one ray, and that faint, of the character of a popular Assembly. But grant that every thing had been added to the description of the British Legislature, which could have conveyed the most august and venerable idea : grant that *Mr. Burke*, to rank, and opulence, and cultivated talents, (I now take leave to marshal qualities according to their natural connection,

and to place abilities next to virtue) had added all which could be selected of wisdom, integrity, patriotic spirit, fidelity to the Constitution, respect to public sentiments, attachment to popular rights, of which the Representatives of the Commons are the immediate Guardians:—might it not have been said, this is not a mode of opposing the character of the Parliament of *Britain* to the *National Assembly* of *France*; by selecting the good only of one, and the evil you suppose in the other: by heightening on the one side all the shades of evil, and spreading them over the whole mass; while on the other, the lights are thrown with the same lavish indistinctness of colouring.—But it is not for a good citizen to lower the estimation of the Legislature of his country. Doubtless not, by unjust and licentious Representation. And is it then for a man, who feels himself a Member of that universal Community, over which the supreme Providence*, the impartial and infinitely benign parent of all nations, presides, to chuse the Constitution and Legislature of another Country, approved, he

* Letter I. p. 134. 145.

acknow-

acknowledges by the majority of the Nation, for the object of ungoverned satire?

Mr. *Burke* could in his former Letter *, speak with complacency of the punishment inflicted for disrespect against a distinguished individual of that Nation: can he then think the utmost possible contumely towards the *representative Majesty* of the *People of France* †, perfectly authorized by the Law of Nations; entirely consistent with his senatorial character; strictly correspondent to his personal sentiments, (such as they would be if the conduct of any other sovereign power were in question) and his reflective approbation. Mr. *Burke* has here taken leave of the precept of his friend *Horace* ‡, as useful to the Orator as to the Poet, *Non satis est pulchra esse poemata dulcia jundo*. There is not much of suavity in his animadversions on the National Assembly, addressed to one of its Members. And with respect to the *King*, circumstanced as the panegyric is on him, it may be far more displeasing to him, than the satire on the National Assembly to them.

* P. 124, 5.
and nearly throughout.

† Letter II. p. 3, 10, 36, 42,
‡ Letter I. p. 115.

Any death, any degradation would be preferable to meriting such an explanation of his conduct, and its motives, as Mr. *Burke* has given. By the Instructions annexed to the *Appendix*, by his department originally, and at several momentous periods of this great era, he appears desirous of other remembrance with posterity, than that of Destroyer of the Constitution, which originated in a representative Council called by himself, organized with his concurrence, their Acts adopted by repeated solemn testimonies of assent, approval, satisfaction; and lately, in particular, when he came to the National Assembly, with this intent; in a manner, as free from all circumstances of restraint, as the King meets the Parliament in this Country. If there be any thing that can be disproved in these assertions, I wish it to be encountered by facts: it cannot be weakened by declamation, however specious, however captivating.

One observation I found, however, which seemed so favourable to peace and order, that I was pleased indeed *; *that a rash recourse to*

* P. 5.

force is not to be justified in a state of real weakness; but that Reason is to be hazarded though it may be perverted ; for Reason can suffer no loss nor shame, nor impede any useful plan of future policy. Many thought that the former Letter blew the trumpet to aristocratic hostility, and called forth the sword of civil war ; as far as the suggestions and declamations of a distinguished foreigner could contribute to this effect in *France*. I had hoped almost (notwithstanding what I had heard and expected of the tenor and spirit of the Letter before me) that whatever there might be of sarcasm or of graver vehemence, time and reflection had so far prevailed, that the *olive* was thought a better gift than the *steed* impatient for *battle* ; the civic oak than the sword. But I was mistaken :—a foreign force, consisting of the armies of as many kingdoms as eloquence thus employed can unite in such an enterprize, it is recommended to *France* to receive into her bosom, as the proper and only remedy her situation admits ; and as a debt of compassion to those *malecontents* who have quitted her, or who stay behind and cannot subvert the Constitution, unless

unless she will indulge them by embracing this pious aid.

To this service *Prussia* is particularly adjured: *Germany*, or I should rather say, the *Emperor*, and *Britain*, or its *Monarch* (for as to Nations what have they to do but implicitly to adopt the feelings of their sovereigns) these and all other princes are to receive the consecrated banner from the promulger of the *Croisade* of the *nineteenth* century; to pour their united force on *France*, to execute the vengeance of relentless *Ecclesiastics*, (if such there are) and of such of the *Noblesse* as shall be content to repurchase partial, and comparatively at least, worthless privileges, at the price—if even that would purchase them—of subjecting the glory and independence of their country, and that high spirit which alone can protect the name of Nobility from dishonour, to the ignominious necessity of being indebted for their fate, whatever it shall be, to the over-ruling pressure of an external force: or I should have said to the result of a sanguinary conflict between the friends of the Constitution, and its domestic and foreign Enemies.

I will

I will not hastily suppose, that the *King*, *Parliament*, and *People* of this country, that *Prussia* or *Germany*, or the Government of any other state, can be induced to commit the public honour and welfare in such a quarrel. If I were to imagine such an attempt, I should suppose there are not many persons in this island capable of feeling the value of Liberty, who would not sooner die than acquiesce in it. But with Mr. *Burke* *, the mixed horrors of civil war and foreign invasion, have too weak an effect. It is to be a war without a name, something of which the law and practice of civilized nations has no idea—something only to be described as “*unmodified hostility ; military execution without battle ;*” the incessant boundless reciprocation of “*new revenge*”—“*hell hounds uncoupled, unmuzzled,*” and urged furious on their prey : which hounds like these, are supposed not prepared to seize with sufficient violence without vigorous incitement. I think it preferable to such an experiment, that the Constitution of *France* should remain undisturbed ; and that even the beau-

* Page 45.

ties of a *third* Letter, would be a dear purchase to those Potentates whom it should tempt to the trial. But spiritless certainly on such a subject, would have been the sentiments and language of ROUSSEAU : on this picture of subjugation and destruction, those who can look with complacency, and approve the design and execution, and applaud the tendency, I should not expect to be highly charmed with the *Heloise* and the *Emile*. The heart of *Rousseau* would have recoiled from the idea. I have no ill language prepared against the memory of *Voltaire*. His lively and penetrating genius, his knowledge of the world, the graces of his diction, the charms of his wit, the fertility of his fancy, if they often and essentially were of disservice to society, were, however, in other and never to be forgotten instances, vigorously and effectually employed in the cause of humanity, of truth, and freedom. And I have learnt, that in the writings of men, the *Grave* is a severe and an impartial critic : what deserves disesteem will have no long celebrity ; but what has truth and social good for its principle, and has been the emanation of a powerful mind under the influence of these motives, has

the germ of immortality : whatever of perishable frailty may adhere to it will soon drop into oblivion. The fleeting forms of error change in every generation ; a *wrong* is ever a confined and a capricious taste. Nothing will generally and permanently please that does not derive itself from an higher origin. It is needless therefore to inveigh against the *dead* : those, especially, who have been poor and persecuted, and traduced through life. Such, if they merit shame and neglect with Posterity must of course meet it. These are no imposing circumstances to create a false homage. But if they have deserved the esteem, the gratitude, the affectionate veneration of succeeding ages, no satire, no invidious exaggerated selection of their faults and errors, will check their career. The licenced cry which marks the commencement of their triumph, will be hourly fainter ; and its last hollow murmurs will have expired without ever reaching that temple, in which their Fame, its solemn progress completed, must reside, while aught of human glory beams on the earth from the awful shrine. If men, in other respects, of wisdom and virtue, have so far forgotten themselves as to aid the cry,

those

those tutelary Powers leave, at such a moment, the side of those whom at other times they may have most favoured. They add force to the sacred sound of just praise; and the din of their constant enemies, the hasty and eager clamour of their erring friends sinks, lost and undistinguished, in the full harmonious acclaim.

For the moment, however, while the impression can have any force, let the censure on *Rousseau* be fairly weighed. I call it censure: it might better be described by another name. Mr. *Burke* says, it is a subject of emulation * amongst the leaders in the *National Assembly*, which most resembles *Rousseau*:—that in truth they all resemble him. If in depth and extent of views, intrepid disinterested ardour, in abhorrence of debasing policy and of vile corruptions, if in a contempt of false, oppressive, contumelious distinctions, and a generous affection for the rights and native Dignity of man; if in the sublime enthusiasm of an heart transported with the love of virtue; if in sympathy towards the poor, the despised; if in the strenuous and well directed aim that

* P. 31.
B 2

Truth and Freedom, and pure, and hardy, and simple manners, shall be inspired in youth by every circumstance of behaviour towards them, or in their presence; if in regarding maternal tenderness, simplicity, sincerity, as the highest charms of the sex by whose sentiments and dispositions life is influenced, and society affected from the first dawn to the period when the habits, private and social, receive their determined character; if in presenting to them the arms of a perpetual empire, not over passions which even in their height may consist with disesteem; but over those affections which purify and exalt the heart; if in engaging their attention from parade, and servile adulation, from affected and contemptuous gallantry, to regards ennobling the heart which pays, and that which receives them,—if in these they resemble him, and I can believe that many in such an Assembly do, they are worthy, in proportion to such resemblance, of their elevated trust: they are Legislators, Citizens, and Men indeed. The kettles of the poor melted into statues for *Roussseau*, tinkle with wonderful effect in the periods of *Mr. Burke*. The *Poor* would not devote the humble instruments of their comfort, but
with

with hearts glowing with affection and gratitude, to the man who joined cordially in their industry, and their amusements, who conversed with their children, who animated their healthy and innocent, and useful sports, useful to the body and to the mind; to the individual and the Community; such as cherish a vigorous spirit; unenvying, undaunted, unseduced, unwearied; such as nourish a sympathy which cheers the domestic hearth, unites the village, and combines as brethren entire communities; thence diffusing itself with amity and active benevolence to the whole human race. Mr. *Burke* should visit these; he should ask of *these* what man was *Roussseau*: a statue of him formed of materials so expressive of the zealous affection of the poor to his memory, I would prefer to a Colossus of solid gold erected by the joint Contribution of all the princes, nobles, men of opulence;—and men of letters, who can look up to rank and opulence with an eye more dazzled than becomes them. Such a Colossus, if I possessed it, I should, without lamenting, see upturn by a tempest with its base, and buried in the ocean;—even though the *Letter on the Revolution of France* were

inscribed upon it, and where could that Letter be more suitably inscribed ?

If *Rousseau* was prevented from indulging the affections of a parent, what heart must not feel with pity and with horror, the severe privation to such an heart as his. If he was excluded from exercising the duties of that relation, those sacred and consoling duties, the best human refuge to a generous, exalted, and sympathizing mind, amidst sufferings and calamities of every species, aggravated by envious insult or more cruelly ostentatious kindness, who must not lament !—A reason * has been given for his unhappy determination with regard to these children ; which ought not to have been with-held. That *hardness* of heart was not the cause, or a voluntary disregard of paternal duty, those who want arguments to be convinced may find them, if they have the candour to examine. To others there is a clearer and a shorter demonstration.

His “ *refusing the tribute which opulence owes to Genius* †,” may degrade him with some. Such tributes *may* honour the giver

* Letters by MADEMOISELLE NECKAR, since Baroness Stahl, on the writings and character of ROUSSEAU.

† Page 35.

and the receiver ; but in general they expose the vanity of the one, and the meanness, the unworthy humiliation at least, of the other. *Phocion, Socrates, Epaminondas, and Fabricius*, knew that such tributes are generally the subsidies which wealth and power pays for the purchase of a claim to treat Genius as it pleases, and to employ its services for any the most sordid and worst purposes ; or to tax it with ingratitude and perfidy if it refuses. Where has *Rousseau* pleaded *beggary* as an excuse for any thing ? Manly and independent, and strenuous poverty, is not to be confounded with the sordid dependence of abject laziness. The word never will make its way into our dictionaries in such a sense, however recommended by the authority of Mr. BURKE. He is accused of substituting sensuality for love ; some of his too voluptuous contemporaries * have accused him of exactly the reverse ; of exchanging *la Physique d'Amour* for sentiment ; which they think a bad exchange ; the *Venus parabilis facilisque* being their *sole Idol* : which have understood him best, a very little patience and candour will decide.

* P. 39, 40.

He is arraigned as a *Teacher of Seduction* *, aggravated by the confidential and venerable relation of a Preceptor. An heavy charge : if it had truth, or the semblance of truth, to support it. That men who have not acquired the command over their passions, ought not to trust themselves as Preceptors to the innocent and amiable Daughters of those who would inconsiderately invite them to such an employ ; that Virtue may securely resist the attractions of Vice, but should dread the influence of a pure and incorrupted heart, which betrays, and is betrayed without suspicion of the danger ; this to me is the *Morality*, this the *Philosophy* of the early part of the *Heloise*. That where the Heart has *erred* only, and has not been *corrupted*, Virtue may remain under the guard of principle and of modesty : that it may establish its future security on this glorious base ; but can never perfectly recover tranquillity, till the near approach of death confirms to it the severely purchased prize : that duty and gratitude, in a pure, firm, and exalted mind, may supply the place of sentiment and inclination ; and may guard

* P. 37.

even the *will* itself from a return to error, even in the most dangerous situation:—that there is an enjoyment in the conquest over unauthorized affections higher than the utmost indulgence which the senses and the passions can ever know; that there is a Friendship, the result of confirmed esteem, more tender, more transporting, than the most delicate sensibility of Love itself, in all its hopes, and in all its triumphs; and at the same time pure, elevated, unalterable, the support of virtue, the inspirer of heroism, the uniter of the soul to the perfections of the Deity: and that if any thing can expand a mind shut from the cheering hope of futurity, by the confirmed habit of speculative Atheism, such conduct and such a death as that of the wife of *Wolmar* MUST:—these I apprehend to be the instructions which suggest themselves from the progress and the close of that admirable Work. I acknowledge the danger of some few Letters in the beginning of it: Persons who are in early youth, are not in a situation for the perusal of those Letters. But they are warned abundantly of the danger. Those who have modest and virtuously disposed minds, will

not resort to the *Heloise* for Lessons of Corruption. It is not a Preceptor of such a kind for them. They are volumes from which none but the most depraved imagination and corrupted heart would select incentives to criminal indulgence, when the amiable and sublime form of Virtue every where appears in all her celestial beauty.—If *Heloise* had not erred, but had rescued herself from the danger when it was become greatest, the composition would have been apparently more unexceptionable; but I believe, more dangerous and less instructive. It would have then represented how much may possibly be hazarded without actual deviation. To the young and inexperienced, I know not any lesson so much to be avoided as this. Generally, all would be lost by those who should listen to it; or, however, all that is most valuable; the person might be inviolate, while the mind had yielded to abasement. This dangerous lesson cannot be imputed to the *Heloise*.

There are innumerable productions which the seducers of innocence, the corrupters of fidelity, will study and will countenance, and will recommend by every mode of insinua-

tion. But to say of *Rousseau*, and to instance in the *Heloise* *: that *he makes even virtue pander to vice* †, is to reverse all reality : he makes

* P. 42.

† I can risque, though it is at great peril, to the fame of *Rousseau*, and at some little hazard of ridicule to myself, if not at *Paris* at this time, (which probably too these Remarks may not reach) yet however at *London*, where the stern and austere Virtues are not become fashionable, I can still risque quoting a passage from this *Teacher of Seduction*, whose writings are represented as making Virtue pander to Vice. Some I have seen of the sex—and those young—who would have given the doctrine it contains a smile, not of pity, of raillery, or of contempt, but of complacency and real approbation. Some who have thought that very anecdote of ancient History to which it refers, one of the most worthy of their attention and preference in selecting. But none, who on reading what I shall now present, would have paid, seriously, and *de bonne foi*, to the Author, the compliment which a Lady is said to have paid to Dr. *Johnson*, and have remarked——“ *Indeed he is a very seducing Man* †.”

“ Je n’ai nul dessein de faire ma cour aux Femmes.
“ Je consens qu’elles me honorent d’épithet de *Pedant*
“ si redoutée des tous nous galans Philosophes, §” (Sûrement Mr. *Bourke*, puisqu’il fait si peu de cas de Philosophes Modernes, galans ou nemi, se range ici, par pure

† Boswell’s Life of Johnson. I need not quote pages of a Work, that will be read again and again, by Readers of all descriptions.

§ Oeuvres de Rousseau, 1764, T. 1. P. 241.

politesse

makes even error, and that error most difficult to be reclaimed, an awakening and most powerful Monitor of Virtue. The general

politesse, au parti de ces Dames.) “ Je suis grossier, “ maussade, impoli par principes, et ne veux point de “ proneurs; ainsi je vais dire la verité, tout à mon aise.”
I shall translate the rest.

“ The sexes are formed by Nature for mutual Love “ and Union; but beyond the bounds of that legitimate “ Union, all commerce of Love between them is a “ dreadful source of disorder in Society and Manners. It is “ certain, that women only can recal Probity and Honour, and cause them to reside amongst us. But they “ disdain from the hand of virtue an empire they chuse “ to owe only to their charms.—Often they receive “ the punishment of such a preference.”

“ It is inconceivable how, in a religion so pure, Chastity “ can have become a base and monkish Virtue, capable of “ rendering ridiculous every man, and, I would almost say, “ every woman, who dares to pique herself on the observance of it; while among the Pagans, this very Virtue “ was universally honoured; regarded as a quality proper “ to great men; and admired in their most illustrious Heroes. I will name three, who will not yield precedence “ to any; and who, without Religion being concerned in “ the sacrifice, have all given memorable examples of continence. *Cyrus, Alexander, and the younger Scipio.* Of “ all which is rare and curious in the cabinet of the King, “ I would wish only to see the silver buckler which was “ given to this last by the states of *Spain*; and on which “ they

neral spirit and tendency of his writings is most dreadfully misrepresented. For an instance of this I shall take the most obnoxious of his Writings: and as Mr. *Burke* has been pleased to use such language * in speaking of the *Confessions*, I shall say only, to those who are so depraved and base, as to flatter themselves with the vile casuistry of consulting Precedents, how far they may be guilty, what errors and excesses they may indulge, and then

“ they had engraved the Triumph of Virtue.—Thus it
 “ became *Rome* to subdue the Nations, as much by the
 “ veneration due to their manners, as by the force of their
 “ arms: thus were the *Falisci* conquered, and the Victor
 “ *Pyrrhus* driven out of *Italy*.”

I think I have gained my cause, on the charge against *Rousseau*, as a Teacher of Seduction. An Author who writes to teach seduction, does not think and write thus. But I doubt I have lost him all the *Beaux*, (if any Beau can be so misemployed as to read my book,) and, I fear, some of the *Belles*. It is of no great importance to me, or to his memory, if I risque what I shall never obtain, and what he despised,—the countenance of Fashion,—in defence of truth. I do suspect the attack against *ROUSSEAU* was originally severe in such an unparalleled degree, not for the evil, but for the signal good contained in his Work; the intrepidity and force of reason and eloquence with which he opposed himself to the most favoured causes of domestic and social misery.

* P. 15.

ask the world, "*am I worse than Rousseau?*"

—It is a very bad book. But to such hearts and heads, what book would be a good one? I would say to these—ask your hearts: let them inform you, what right you have to compare yourselves to that man. Did he study what insults he might coolly and deliberately offer to Virtue? Did he tarnish her image in his heart—that image which he venerates and unveils to the homage of mankind, anxious not to intercept a ray of its divine splendour, whatever confusion it may dart upon himself. Did he attempt to obscure its piercing and salutary lustre, by piling up Clouds before it, of Errors rendered specious and half illustrious by great Names. Base Dissemblers with yourselves and the World: miserable Profaners of that Light which the Creator has diffused over the Earth; the Light of Reason, of simple Truth, of Conscience. Mention not *Rousseau* as an apology for such despicable Evasions.—To others it is a bad Book: to those who are hunting to confirm a theory—not founded in the happiest experience of their own bosoms—of the universal Depravity of Mankind. Such will overpass whatever will not favour their
system,

system, and select, combine, exaggerate, whatever will. To *another* Class it is a bad Book: those who believe the Existence of Virtue; but are pained with its superiority when united with extraordinary Genius. These will lament, and be ashamed; and be sorry that they have not more for lamentation and shame, and triumphant condolence over the sad imperfections of poor human Excellence. To still *another* description it is a Book to be avoided: those who are too honest to say that they despise and abhor *Rousseau* on the account he has given of himself, and are yet too *timid* to declare that they respect and esteem him notwithstanding. But to ingenuous, simple, firm, benevolent, comprehensive and elevated Minds, I presume that it is not a bad Book. They will regret, they will pity: they will sympathize with a great and generous Mind, exposed to every storm, and tried by every strongest temptation; left to its own direction, when the sensibility of youth, and especially in such a temperature as his must have been, has most need of protective counsel. Erring, and in the extreme unhappy; as far perhaps as unhappiness can be the lot of such a Mind; suffer-

suffering indescribably for its errors; and in a very intense degree for its virtues, and its efforts to enlighten society; its contempt of disguise, its high sentiments of friendship: yet less affected by the consequences of its faults, than by the sense of the faults themselves: content to lose the external rewards of Virtue, to endure the insulting calumnies which Vice and Ignorance could raise against him, if his heart in solitude spoke peace to him as Virtue's Friend: faithful to the dignity of the species when it had been most outraged, and with the greatest injury to himself: his soul ardent in the contemplation of what seemed to him essential to their freedom, their happiness and their perfection, when fraud or force, and proscription, and execration, and contumely, never ceased to pursue his Person, his Writings, and his Name. His Person is at rest from their pursuits: his Writings have nearly past the *ordeal* of their injurious malignity. His glory will be interwoven with the felicity of Nations; and will flourish when the Empire of Tyranny shall be no more. This in the mean time we may assure ourselves, if no person shall leave behind him a Book similar to this of

Rousseau,

Rouſſeau, ſo opprobriouſly daſhed againſt his Tomb by the Revilers of his Memory, till a Man ariſes equal to him in genius, in ſenſibility, in love of virtue, and at the ſame time in circumſtances and ſituation ſo unpropitious to conduct, ſo hazardous to principles; equal to him in miſfortunes, in ſufferings: as much a Friend to human Nature, and as much traduced and perſecuted, it will have been a bequeſt not ſoon repeated. The concurrence of all theſe circumſtances would be extraordinary indeed: and there ſeems to be a progreſs of Society, to which he has illuſtriouſly contributed, that will render the diſtreſſing points of coincidence leſs and leſs probable in every ſucceeding age.—Who will not be aſtoniſhed, of the unprejudiced and diſintereſted, that Mr. BURKE can find hardly any thing in ROUSSEAU applicable to real life and manners:—nothing from which we can dream of drawing any laws of conduct, or fortifying or illuſtrating any thing by reference to his opinions, who, when he appeals to *Horace* *:—in reality for what? For the cenſure of a very different ſet of writers: the inven-

* Letter II. p. 41.

tors of dry, cold, abstract paradox, whose doctrines were conveyed in a manner too enigmatical * and unaffecting. But that *sense* and those *manners* on which the opinions of *Rousseau* have no hold, that utility which dares not to try itself by his principles, it may be difficult to explain:—except indeed to men of the world: to confirm their sentiments and practice, *Rousseau* certainly did not write. To make a fortune, an interest, a party, a reputation of *eclat*, he

* Mr. *Burke* would have done better to quote the preceding Line:

Quæis PARIÀ esse ferè placuit PECCATA, laborant.

*Quum ventum ad finem est: sensus' moresque repugnant;
Atque ipsa Utilitas, justì prope Mater et æqui.*

It has been the unpardoned offence of *Rousseau*, that he has represented crimes as more shameful than errors: and has appealed from the Judgment of depraved Society (or the Practice rather than the Judgment even of the most depraved) to the unprejudiced suffrage of the Heart. The sense and uncorrupted manners of mankind, that utility which is general and perpetual, and no other can deserve to be dignified by the appellation of *justi mater et æqui*, are with him. The *Paradox* of the *paria peccata*, does not affect him. It concerns others to answer for a worse *Paradox*, than even that: the *Paradox* which treats the Errors of Innocence and Inexperience as irremissible; and offences of a very different denomination as light and insignificant.

has

has left to others to teach. The principles of true honour, fidelity, probity, pure and generous sympathy, sincerity, independence, justice, magnanimity ; of respect and benevolence to men, as men ; of ardent and enlightened zeal for the best interests of society, he has more than taught. If there is any vigour, clearness, virtuous animation in the mind, all these qualities acquire from him a new force. It is not pretended, it may be said, that he teaches Prudence :—but he teaches that Freedom, from artificial and ostentatious wants, which enables Prudence to be practised. He teaches that which is the sublime Prudence of the wise and good, to avoid placing themselves in circumstances hostile to their Principles, to avoid giving way to the first tendencies to deviation.

How, from the examples which his Genius makes present with us, and gives to them a personal influence and authority, like that of the nearest Friends, do the supreme satisfactions of Innocence and Virtue pervade the soul ; with what a sublime enthusiasm has he filled the heart with the sole felicity in which it can perpetually acquiesce, and made us feel the utmost sacrifices that can

be offered to Virtue, as its highest endearments:—and those duties, the most sacred, the most important to individuals and to society, with what grace and dignity do they shine forth? How superlatively does their observance reward its unalterable votaries? How glorious his combats against errors in society the most countenanced, and prejudices the most seducing and triumphant. And to the *morals* at least of Christianity, he has given a testimony, impossible to be contemplated with indifference, by the coldest heart:—of the wisdom, the benevolence and transcendent fortitude of its great Teacher, he has spoken in a language of the most animated and impressive admiration.

A mind vicious and deliberately corrupt, to the degree Mr. BURKE is pleased to represent *Rousséau*, must ill support itself in a long retirement; must be ill adapted to the awful calm of Solitude and of Nature. It is impossible, however, to read the four Letters to the President *de Malesherbes*, after seven years retirement at *Montmorenci*, without the most sensible emotions: without the deepest impression of affectionate esteem. The Man who for seven weeks only should have form-

ed and cherished in solitude, such a temper of mind, as he, in the midst of poignant sufferings, preserved during those years, is no object of ridicule, of abhorrence, to any who, to say the mildest, have not imbibed prejudices which destroy all the colours, invert all the appearances of nature and of truth, relative to the subject against which their prepossession is indulged. By those who permit the emanations of a sublime and benevolent mind to reach their hearts with the genuine force of sympathy, the goodness and the purity of his will be felt. Purity I repeat, if a mortal may presume to apply the word to mortality: for we are not speaking of unmixed intellect: we are speaking of man: whose purest state on earth is not the exemption from all error and moral evil; but whose heart has then the purity proper to its nature, when its passions, intense as they may be,—and they are usually in proportion to the other powers of the mind,—are exalted into affections the most disinterested and comprehensive, and are all ultimately absorbed in the Love of Virtue, and of universal Good. It is idle to ascribe the influence of *Rousséau* on the mind, to a secret charm in

the language; though all the graces of that language, enchanting as it is, breathe in his diction and composition. But when these subordinate attractions are absent, as they not unfrequently are, when the style is negligent or harsh, the commanding influence continues still. It is still *Roussseau*—the heart answers him. His diffusion is often energetic, because characteristic of the persons whose sentiment, and the modes of expression natural to it, he represents: his subjects comprehend whatever can deeply interest, or call forth into the most powerful exertion, the understanding, the imagination, and the heart. Actuated by the most expansive thoughts, and highest emotions, his repose itself has all the character of the pathetic and of the sublime. He has few resting places for the fancy of a Reader, who must be amused by the artificial interest of ornamented trifles. When he descends to what would be trifles, if embellished, he recommends them by the most engaging simplicity: he gives them life, and character, and manners; and associates them with whatever he has endeared to us:—*sensibility, virtue, goodness*, the contentment and *full complacency* of the purest hearts. This

is

is the Magic of *Rousseau*. Substitute other words : break his periods : (of which the harmony stops not at the ear but penetrates to the soul) read him in what Translation you will : or make as bad a Translation as perverse industry may contrive, if it be but faithful to the sentiment, you will not have subdued the enchantment. And in conformity to the principle on which it depends, the effect is permanent. There are many very agreeable and even elegant Writers, who may be read without a wish to resume them : from whom we may be called away without impatience at the interruption : to whom we return with diminished satisfaction, and with some degree of wonder at the effect of passages which at first seemed to delight us. There are some only for the young ; the susceptible : others only for the contemplative and abstracted : some for the observer of the active and busy world ; others for the admirer of simple Nature alone ; some for the Taste enamoured with the Charms of Composition, of Music, and the other elegant Arts ; some for the Moralist, others for the Politician : others for the metaphysical Rea-

soner; others for those Minds which glow with the vivid perception of Virtue, of Beneficence, and feel the energy of the supreme good without the aid of Research? By which of these can *Rousseau* be disregarded? Read, and then judge: this is all that I wish of those who would entitle themselves to decide. He has hitherto been judged on Rumours, and on the authority of studiously disseminated prejudices, by those who never read him; or who read partially detached passages; or who recollect at a distance, what they have read long since, and whose remembrance is tinged with their intermediate views and sentiments, and their present systems, and the antipathies connected with them, from which it were well, if minds of much experience and cultivation were more generally exempt than they are found to be.

In his mastery over the human heart, I know not to whom to compare *Rousseau*. He has, when the subject calls it forth, the force and elevation of *Demosthenes*. The command of the *Athenian* is over the great public passions. What dominion over these
would

would the *Citizen of Geneva* * have exerted if he were now living in this great tendency of the world. He who could re-animate *Fabricius*, and give a language to his sentiments which would have been heard with rapture and astonishment in the Senate of *Rome*, in the Age of *Scipio*. In the *Extent* of his influence over the heart, *Rousseau* resembles *Shakespeare*. But what Author like *Rousseau* has allied Purity with Ardour, Philosophy with the Passions; and raised the sublimest Temple to *Virtue*, ever edified by a mortal hand, of materials which seemed only capable of furnishing a frail Asylum to error and infirmity, and fugitive pleasure; soon to be destroyed by regret and despair. *Richardson*, the sublime *Richardson*, in creating by the energy of a singular mind, the *Clementina* and the *Clarissa*, perhaps kindled that Enthusiasm which produced the *Heloise*: yet there is nothing of imitation: the character of these wonderful productions is perfectly distinct.

* *Infelix Patria! ne ossa quidem ejus.* But he did not cease to love his Country, even when the intemperance of their zeal compelled him to renounce it. He was buried at *Ermenonville* in the *Isle de France*. See a little Tract entitled, *A Tour to Ermenonville*.

The

The tender, the melancholy, the empaffioned;—and when tranquillity emerges from the dreadful struggle, a ferene which is felt through the foul, characterize the *Heloife*. How naturally, from fimplicity and innocence, and a pure but fatal fenfibility,—that moft precious but moft dangerous and terrible of the gifts of Heaven,—from the amiable Friend, the affectionate Daughter, the Mind ftudious of improvement, but not emulous of celebrity, and more pleafed with efteem than admiration, riles the difinterefted, the awful, the fublime *Julia*. With an heart incapable of happinefs or repofe, but from the confcioufnefs of merited affection, her mind expands and elevates itfelf in proportion to the effort required. We fee *Clementina* fupported by the principle of delicate and jealous honour, and that difference of religion which muft fo ftroingly affect her. We obferve in *Clariffa*, a temper lefs liable to furprize than that of *Julia*, naturally lefs fufceptible of emotion, and by habit and education more guarded: yet perhaps, the fuffering herfelf to be carried off by *Lovelace*, is lefs to be reconciled to the principle and prudence, and delicacy of fuch a mind fo circumftanced, than the fatal interview with
St.

St. Preux *. At least, *Julia* is restored by *Love* itself to the elevation from which Love had seemed to have dispossessed her. We judge of its purity by an effect so glorious.

I mean no invidious comparisons. I regard *Shakespeare* and *Richardson*, as in the first class of that order of Genius, an higher than which perhaps does not exist within the reach of the human mind. True Genius is independent ; and has nothing of the spirit of Despotism. Each man has his own positive title to estimation : the immortal wreaths suffice for all that can deserve them ; not like the diadem of oriental pride, which invests one brow with partial and invidious glory. *Rousseau*, with the disinterested firmness of a noble spirit, reprobates, as the bane of education, of manners, and of Society, that honour which is merely relative, and depends upon a conflict of rival excellence. Let the

* *Hortensius*, in Mrs. CLARA REEVE'S *Progress of Romance*, says much for the *Heloise* ; with much spirit and good sense. *Euphrasia*, who appears very guarded in her approbation, acknowledges herself convinced, that he did not intend to hurt the principles or morals of mankind : with an indignant remark, that those who write only for depraved and corrupted minds, should dare to appeal to *Rousseau* as a precedent.

defects,

defects, the vices, struggle with each other:—where nothing is great and respectable, and all must console itself, by finding something more insignificant and base: the real contest of excellence is within itself; not a competition for triumph over congenial powers. This is beneath its character; and, from the necessary dissimilarity of great and original talents, unsatisfactory at last.—I mention them not for the purpose of founding the fame of *Rousseau* on the demolition or diminution of any other fame: (I should thus have been too far from his sentiments to deserve to place myself with those who would vindicate his memory) but to illustrate this proposition, that the principles which give such energy to his admirable works, are of a character perfectly appropriate, and distinguished from every other by essential differences.

But to judge duely of his Genius and Merit, and to form an idea how astonishingly the vehemence and marked antipathy of Mr. *Burke*, now thirteen years after the death * of *Rousseau*, blazes forth on the event of the *Revolution* in *France*, look to the *Emile* and to its

* On the 2d of July, 1778.

astonish-

astonishingly pathetic sequel; to the celebrated dissertation which obtained the fatal prize at *Dijon*; a chief source of the calumnies and cruelties against its Author which have not yet subsided; to his Letters on the *Theatre*; on the question, *whether there is a fixed Principle of Moral*; on *Providence*; to his SOCIAL COMPACT: which, even were it alone, merited Statues wherever there are men friendly to the Freedom, the tranquillity, and advancement of human nature. Look even to his Works of Amusement; and particularly his *Divin de Village*, that charming picture of innocent simplicity and rural happiness, opposed to the frivolity and seducing pageantry of Cities:—his Letters on *Botany*; a study to which no vitiated heart would have given the charms which he has given it. See in the *Heloise*, what ease and freedom, and elegant simplicity; what a pure, tender, and elevating Beauty in the Garden, which his creative imagination has formed for *Julia*! What painting of the great, various, and wonderfully impressive Beauties of *Switzerland*. What energy in the awful view of the rock and torrent at *Meillerie*. What harmony between the horror of the prospect,
and

and the dreadful purpose suggested by it. What an inexpressibly affecting calm in the Voyage by Moon-light on the Lake to *Clarens*, which succeeds this tremendous conflict between Passion and Virtue!—If ever POET—for this is Poetry indeed in whatever form conveyed—purified the Heart by *Terror* and *Pity* *, ROUSSEAU has gloriously performed that sublime Work. Look to numberless incidental passages in all his works, where the heart breaks forth unstudied and without disguise :—then say, whoever you are, that your affection to virtue is more animated, more unsubdued by calamity, by calumny, by the disappointment of your dearest hopes, more vividly and more variously exerted on the great interests of society, and of man, than that of *Rousseau*.

I will not stop to dispute about the taste of such a Writer. Those who can introduce the Mysteries of *Lucina* †, the Mysteries of *another* Goddess ‡ whom it is not usually permitted to name, much less to disclose her Rites with such total unreserve,—those who

* v. Mr. *Burke's* Allusion to that celebrated Passage of the *Poetics*.

† P. 25.

‡ P. 35.

are equal to such embellishments, and many similar, in Letters on the *Revolution of France*, may have a better taste than *Rousseau*; if it so pleases the Arbiters of Taste,—they are at the head of those Arbiters—to decide. A different taste from *Rousseau* they have certainly. They may impeach—I will not say *impeach*; for I trust and I believe they execute that duty with a better spirit. But the Man who has impeached in the Name of the *Commons of Great Britain*, is pledged to the *Community* by that Act, to sustain, in the accusations he shall make elsewhere, and in his whole life, the gravity, impartiality, and temper of that awful character he has taken on himself *.

Those however who can satisfy themselves that such a charge becomes them, may ac-

* Omnes qui alterum, nullis impulsu inimicitias, nullâ privatim læsi injuriâ, nullo præmio adducti, Republicæ causâ, in judicium vocant, providere debent non solum quid oneris in præsentia tollant, sed etiam quantum in omnem vitam. Legem enim sibi dicunt innocentia, continentia, virtutumque omnium, qui ab altero rationem vitæ reposcunt. Verr. III. 1.

The *continentia* of the *Romans*, or *εὐπαλεια* of the *Greeks*, was Temper and Moderation in every thing.

cuse,

use, amid their other charges of such weight against him, ROUSSEAU of vanity. How the other charges have been supported the Reader will judge: I will not stay to defend him from this, by enquiring whether Vanity can fix her abode in a mind, simple, comprehensive, elevated as his. But it is not vanity, it is not any extravagance or perversity of the human mind, for which a name, or a distinct explanation has been found, which could suggest to a Man and a Writer, such as Mr. Burke, such an image as that of ROUSSEAU, "*flinging his life with a wild defiance in the face of his Creator, whom he acknowledges only to brave* *." This has nothing of the decency of taste, or the dignity of accusation; or even of the partial similitude of such satire, as wears the face or feature of probability. No wonder that the variety of *Rousseau*, inexhaustible as it has appeared to me, seems confined, to those who indulge themselves in such latitude. I would not have quoted such a page, if it had not been necessary to shew to what temper a polite and cultivated mind had wrought itself to be duely qualified for this attack.

* P. 34.

I certainly, as I have already declared my sentiments, think *Rousseau* one of the first of Writers ; modern, or even antient. That he has all the fire, and all the energy of eloquence. That he has a power not to be described, over the imagination and the heart. And I thought if no more could have been said than this, that it should have been abundantly sufficient to restrain Mr. *Burke* from violating his memory by the appearance of contempt. For against *Rousseau*, what Man in any degree worthy to judge of him, can have more than the appearance of such a sentiment. I had thought that the sympathy of Genius should have been a stronger tie than the collision of temporary Politics, a cause of Disunion. But whatever my admiration of *Rousseau* is in these respects, it is much higher towards him as an ardent Lover of Virtue ; as a disinterested and unchangeable Friend to human society ; as a Man filled with veneration towards the Wisdom and Beneficence of the Deity.—To the Man, the Patriot, the Citizen of the World ; to the Anticipator,—in the midst of the most pungent distresses,—of the felicity of the Universe—FRANCE has done well to erect

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statues :

statues: superfluous to his fame; but just to herself and to the example she owes Mankind. These are my sentiments: I have avowed, and I would maintain them, though I were certain that for defending his memory, I should partake his lot.

With all these reflections on his moral character *, another is interspersed on the soundness of his mind. Is this humane, is it consistent, is it ingenuous? I thought these empoisoned darts were confined to other warfare, and the hands of other chiefs. When something of this kind seemed pretty plainly to be intimated in the former Letter, I would not suffer myself to interpret the expressions in such a sense, lest I should have been hastily injurious. Mr. *Burke* has now spoken out in the fullest manner. I shall only say, that if he had written in *France* instead of *England*, and had represented events as he has done; if he had then said he had seen the *Pillory* in which the King and Queen were placed in the day of solemn assent to the Constitution, we must have been convinced; that his reason suffered that calamity which he treats

* P. 31, 34.

with such sportive unconcern, or that his mind was under the government of something even yet worse than the morbid alienation of Reason.

But the Pillory and the insulting figure over the head of their lawful King and Queen *, are not to be too rigorously understood. It is the painting of rhetoric. Children, and men of the information of children, are petrified with astonishment. Savage, brutal, diabolical, must be the cry. When I was very young indeed, I should have literally understood it. I now understand it in its true value, as fine, extremely fine oratory; the better for being a little coarse, as it is to be admired at a distance, which is its proper point of view. Reflection might lead those who love it to consider, as a late very acute observer has done †, that the King of *France* is not much to be pitied for restoring to the Nation that power which was not his, in exercise or even idea. And that if he has, which is generally believed, a spirit of bene-

* P. 28.

† *Strictures on the Letter of the Right Hon. Mr. Burke, 1790. P. 31-5.*

volence and a taste for the purest glory, he must be far happier than the Throne of absolute Monarchy could have made him.

It became the Accuser, in such terms, of *Rousseau*, to speak tenderly of General *Monk*. If I were asked what I thought of him, I should say, that I thought him false, selfish, and a fit instrument of those who, in their zeal to restore the Monarchy, and recover or acquire a little self-importance under it, thought nothing of security to the People, or the Constitution. I should treat his dissembling and interested Conduct, as frankly as it has been treated by that great Historian, into whose hands Truth, Liberty and Philosophy gave the pen; and enabled her to trace with inexhausted spirit, the clear and expressive outline of our Constitution at its most important æra, through all the intricacies in which it had been involved. She will quit life with more animating reflections than are to be derived from the incense of Courts, or from the emulous homage of rival parties. But what *can* a Member of the *National Assembly* of France have to think of *Monk*? A Member of the *National Assembly* planning secret hostility against the Constitution under which

which that Assembly exists. I know nothing of *Hale* which resembles this: if there were, the good would find it impossible to think of him with affectionate veneration. I shall not be found in the number of the advocates of civil oaths; nor of those who think that honest men, above intrigue and above dissimulation, may not, and ought not to be employed in judicial offices, in a government established contrary to their opinion. But I cannot commend those,—and if there are any, the New Election will, I hope, prevent their entrance,—who can sit as Members of the National Representation, as Guardians of the Constitution, waiting for *conjunctions* and *oppositions* to effect its fall. We should have been satisfied on less authority, though we are obliged to Mr. *Burke* for his, that to wait for such indications from the aspects of the *Planets* would indeed be silly; and it might be disastrous and fatal, with ignominy; as it was to a woman at the last *Norfolk* Assizes, who in a fit of jealousy fired a barn, in reliance that the stars, as her confidential friend, a fortune-teller, had assured her, would place her above her enemies. She was convicted, and executed. Wiser Sooth-sayers may advise

the Malcontents in *France*, to wait for surer tokens in *political* aspects : yet those aspects may deceive men, whose imaginations are ever on the watch ; they certainly suspend all confidence, security, and rational hope of returning Union, so far as they are indulged. They may be fatal to the plotters in the end ; they are assuredly mischievous in their intermediate effects to the Community.

I observe some apology is made by Mr. *Burke* to his *Parisian* Correspondent *, for not having duely settled the balance of moral and political merit, between those who quitted their Country at such a moment to revile, and those who staid in it, and accepted Posts of the highest Trust and Confidence, which sprang, and could only spring, from the Constitution itself, to betray the Constitution.

Non nostrum est inter vos tantas componere lites,

In the Edition which he transmits to his Friend, the preference to the extraordinary degree of positive merit, we are to suppose, is scrupulously assigned, My suffrage would be

* P. 49, 50.

with those who act agreeably to the sentiments they profess: and I should think the common feelings and sense of Mankind would esteem the *Absentees* as by far the most consistent; and less injurious beyond comparison in their conduct.

When desired to sketch a Constitution *, Mr. *Burke* has returned an answer so like that of *Rousseau*, that I can hardly suppose it was absent from his thoughts. There seems this merit, however, in *Rousseau's*, that it was a command over himself against precipitate recommendation, when a Constitution was forming for the island, whence he was consulted; when the mischief of erroneous advice from a foreigner might have been immediate. Mr. *Burke's* advice may do harm, so far as it can disturb the present Constitution, and encourage Machinations against it, under the prospect, such as it is in every respect, of foreign aid; but it will, I think, remain harmless in point of application, so far as it relates to forming a new Constitution; as I do not think Mr. *Burke*, or I, or any of his admirers on this occasion

* P. 55—8.

(in others I have been as much so as most men) in *France* or *England*, will live to see the present subverted by deceit or force *. It is something to find, that my idea of an elective Senate, is less distant from the opinion of Mr. *Burke* than I imagined. But I do not think this, or any other improvement, real or fancied, in the present Constitution of *France*, worth the purchase of a civil war, and invitation to the Monarchies of *Europe*, to confederate and invade, and subdue *France* to their system of Reform (if they can agree on any) against the opinion †, as even Mr. *Burke* believes, of the largest part of the Community. The majority of such a Nation, which at the lowest, to be acknowledged by Mr. *Burke* as the larger part, must be very sensibly so, are to be coerced as madmen by all the acts of unmodified hostility : and to this honourable work, in the most civilized age of the World, those Nations are invited which are conspicuously cultivated in their sentiments and manners ; in that part of the World which has been longest and most eminently distinguished for civilization. An

* P. 63.

† P. 19.

officer of *Cromwell's*, I will not say in what employment—that I may not be suspected of an incivility far from my intentions,—said, that all the Nation, except himself, were out of their right mind. This has not been taken as a proof of either part of his assertion. A Member of the *British* Parliament, who knows the possibility of differing in political sentiments and measures without insanity, affirms the majority of a Nation of *thirty or twenty-five* millions * at the least, to be insane. They have thought and acted in what immediately and universally concerns themselves, otherwise than he approves.

He thinks the *National Assembly* † cannot have seen their way calmly and clearly; because they have pursued it uninterruptedly, without those enlightening intervals of retirement, that sage and virtuous relaxation, that calm and beneficial reflection on the objects of their station, exercised during the Recess in every longer Adjournment and Proroga-

* Mr. HOWLETT, in the *Annals of Agriculture*, states them, and supports his Statement, with his Reasons, at THIRTY-TWO MILLIONS.

† P. 72, 3, 4.

tion, and in every week during their Session, by the Members of our Parliament, with such experienced advantage to their Country. In forming a Constitution, a more continued attendance on this great object may be expedient and necessary than in the functions of Legislature, when a Constitution is settled. Yet possibly even then, there may be seasons when such intervals are detrimental beyond the clear benefit they can be supposed to produce. If after a Prorogation, the Parliament should find itself provided with a war, which neither they nor their Constituents could approve, and which might be in every possible view injurious to the Nation, all the reflections they might bring back from the Recess, would be a poor equivalent.

I do not think that this calming influence of a Recess is perfectly ascertained. No man confessedly is more suited by taste and cultivation, and habits of society, to avail himself of the soothing virtue of philosophic repose, than the *Author* of the *Letter* on the *Revolution* of *France*. If the last of his Addresses on this subject is calmer in sentiment and language than the first, it decides the effect in that particular instance; and the shades
of

of *Beaconfield* have imparted their calming influence with effect, to a Mind not dissimilar in Taste and Genius, and love of elegant satisfactions to that which in the former century consecrated them to Fame; but if the efficacy is not ascertained in the present instance, it would be in vain to rely on it in general.

Troston,
29 May, 1791.

The observations which are quoted in the Extract in p. 63-5, lose however not a little in their application to France, on account of the compelled celibacy of the *Ecclesiastics* there under the late Constitution. This has been well shewn by others: and by none better than by Mr. MACINTOSH, in his *VINDICIÆ GALLICÆ*. A Work so excellent in luminous and concise statement of facts, in style, arrangement, argument and principle, I am glad indeed to have seen.

P. 182, 3. The HISTORIAN to whom these pages allude, and whose last service to public Freedom was the LETTER to EARL STANHOPE,

STANHOPE, occasioned by that of Mr. BURKE on the REVOLUTION of FRANCE, *died* on the 22d of this month, after a long and most trying illness, supported with that magnanimity which animates her Writings, and which enabled her to record the most interesting periods in the History of this Nation, with a spirit equal to the actions and events. Though her Works will be a perpetual, and the noblest, memorial, I cannot allow myself to believe, that a suitable Testimony of National Respect, can fail of being given. As long as *Liberty*, the Philosophy of the human *Mind*, the importance of Education on firm, pure, generous, comprehensive Principles, and the unalterable dignity of moral *Truth*, are objects of which the value is duly recognized, THE PEOPLE of this Island will feel such a remembrance to be just.

Troston,
25 June, 1791.

CAPEL LOFFT.

POSTSCRIPT.

SINCE these Remarks on the Letter of Mr. BURKE to a *Member* of the *National Assembly* were printed, an event has happened of which I doubted whether I should take any notice: the enlightened Spirit of that ASSEMBLY, and of the PEOPLE of FRANCE, having been so exerted, that however important such a circumstance might be where the Constitution wanted Firmness, or the Community were deficient in that Energy which is necessary to maintain the best, and adequate to rectifying the worst political system, in FRANCE, the attempt, its failure, or its success, could be scarcely of that consequence which entitles it to be named, except only as it illustrates the character of the NATION, and of the Government which it has chosen. Whether the escape of the King, and of his Consort, on the 20th of June, withdrawing the Dauphin from that City in which the Voice of *France* had so lately conferred on him

him a title which ought from infancy to have been recommended to his confidence and gratitude, by the earliest admonitions of parental tenderness; whether this flight will be a topic of splendid declamation to Mr. BURKE, I am unconcerned. But as it has happened, that amongst the other terrors which the fervency of his zeal for the Royal Personages of *France*, has waisted with such solicitude cross the channel, to ears more open to any counsels, than those which ought solely to have influenced their sentiments and conduct, the Right Hon. Gentleman has predicted, that the King would be *assassinated*, it is rather expedient to reflect, how far present appearances accord with that prediction. The King of the French Nation abandons his post by flight, from the metropolis of the great territory entrusted to his care, from the Residence of Tranquillity, of Order, and of Constitutional Authority; from a Throne, dignified by a sanction which required only consistency in subsequent conduct, or sincerity at the time of giving it, to have rendered his name revered and beloved to the latest age of the world. He directs his flight (and I will not say what kind of a flight, for circumstances

cumstances may be overlooked where the general features of an action are such as to spare the necessity of pointing the minuter traits to observation) towards those for the suppression of whose confederacy his situation, his engagements, his professions, every motive worthy of his regard as an individual, or of his attention as entrusted with the defence of the Nation, demanded his concurrence. With a public revenue of 1,200,000 appropriated to him; with his parks, his palaces, and the splendour of his establishment in a country, which allows to no other office or family but his, distinctions of hereditary pomp and superb pre-eminence, he complains as if he were discriminated only by sufferings; in the midst of millions; who have preferred his indulgence and grandeur to the relief of their own burthens. He complains, that the acceptance of the Constitution was not subjected to the will of those advisers from whom it was supposed he had been emancipated! And after the most awful solemnities of Religion, after reiterated pledges of personal approbation, and of cordial concurrence, given under every circumstance, and in every mode which could invite belief, or fix accumulated

obligation, he is ready to give the People, if they can be compelled to take it, the *Declaration of his Will*, on the 23d of June, 1789, so long as it shall remain his will, as the basis and measure of his future government. It has been justly observed by Mr. CHRISTIE *, that besides its defectiveness, besides the abuses it retained, (and we may add its reserve and ambiguity on most important points of personal and political, and social Rights,) its title was sufficient. It was a Declaration of individual Will for Law; to a People assembled by their Representatives to organize a Constitution of Freedom. There might have been expected another and another Declaration: “and *what the King willed to give to-day, he might will to take away to-morrow.*”

Yet this King was brought back, notwithstanding all the irritation included in the attempt, notwithstanding all the provocation given in the mode of conducting it, and in the order to the Guard, to fire on those who did their duty as Men and free Citizens in preventing it: a Guard given him to invest his person with dignity and security in main-

* P. 75.

tenance of the Constitution ; not to assist him in lending a name and pretence to its enemies, and joining the standard of those whom it was his duty to repel. He was conducted with that order and inviolable security which is peculiar to the spirit of Freedom ; where all are amenable to the Laws, and none are exposed to any danger, but that which the Laws and the Constitution annex to the infringement of known duty. And the Lady whom Mr. BURKE seems to contemplate with adoration, passed through the Myriads who witnessed the return to *Paris*, if not with sentiments exempt from all mortal frailty, with a safety as perfect, as if, like an immortal, she had possessed a controuling power over the will and actions of innumerable and indignant multitudes. Yet Mr. BURKE may be disposed to acknowledge, that at such an instant, it was neither as the Descendant of so many Princes, nor as the Wife of the King, or the Mother of the Dauphin ; it is neither to her beauty, or her accomplishments, that she owed this safety : she was guarded by the *Ægis* of Liberty. The People who had witnessed with tranquil intrepidity, an escape which carried with it

the signal of immediate invasion, beheld the return with the same regulated temper. The Leaders of the Revolution, the Defenders of that free Government which FRANCE has chosen, were the disinterested and intrepid Guardians of those, against any sudden and irregular Act of Resentment, whose attempt struck at their existence: and the veneration to public Virtue in the person of FAYETTE, gave to *Maria Antonietta*, a protection no less complete than if THE PEOPLE of FRANCE had adopted towards her the sentiments and the language of Mr. BURKE. What the result to her, to the King, to the Contrivers and Parties in the attempt will be, I shall not think it becoming to anticipate. It will be, I am persuaded, what a solemn public enquiry shall ascertain that it ought to be. It rests with the humanity of a generous, the firmness of a brave, the discernment and justice of a free and enlightened People. For myself I should not much have regretted, if the attempted escape had been completely made, that the Arm of Freedom, rising in her irresistible power, might have removed at once, by one immediate and decisive exertion, the impediments

to

to the peace and tranquillity of the Nation : and have crushed all the machinations and hopes of Despotism at a stroke. But the disappointment of the project of their enemies, may be as effectual as the defeat of it, if the meditated flight had been accomplished. The vigilance, the magnanimity of the Friends of Liberty in FRANCE has been gloriously manifested, the force and union of public sentiment has proved itself, and will prove, equal to whatever future occasion can demand. A Nation completely organized, universally animated, feels and acts at once through the whole of its great extent. It will not be deceived or subdued. It will neither commit nor suffer outrage. It will punish, so far as may be necessary, those of whom the impunity may be inconsistent with what it owes to itself. For others, they will learn by experience that it is better, with tranquillity and fidelity, to accept the blessings of Freedom, than to dream of subverting a Constitution established under her auspices.

2 July, 1791.

A D D I T I O N S
T O T H E

APPENDIX TO REMARKS ON MR. BURKE'S REFLEC-
TIONS ON THE REVOLUTION IN FRANCE.

No. V.

INSTRUCTIONS to the *Ministers of foreign Courts.*

S I R,

THE King has charged me to inform you of his earnest desire that you make known his sentiments concerning the Constitution and the French Revolution to the Court at which you reside. The same orders are transmitted to the Embassadors and Ministers of France at all the Courts of Europe: to the end that no doubt may remain with regard to his Majesty's intentions, his free acceptance of the new form of Government, or his irrevocable oath to maintain it. His Majesty convoked the States General of his Kingdom: and resolved in his Council that his Commons should, in that Assembly, have a number of Deputies equal to those of the other two orders there existing. This Act of provisional Legislation, which the circumstances of the time did not allow to be more favourable, sufficiently announced his Majesty's intention to restore to the Nation all its Right. The States General met: and took the Title of *the National Assembly*: and in a short space of time a Constitution fit to secure the happiness of France, and of the Monarch, took place of the ancient order of things, under which the apparent Power of the kingdom only served to conceal the real Power of the abuses of certain aristocratic bodies. The National Assembly,—the form of a representative Government conjoined with an here-

ditary Monarchy,—the legislative body, was declared to be permanent : the choice of the Ministers of public worship, of Magistrates and Judges was given to the People : the executive power was conferred on the King ; the formation of laws on the legislative body, and the power of sanction on the Monarch : the public force, both internal and external, was organized on the same principles, and in conformity to the fundamental distinction of powers :—Such is the Constitution of the kingdom. That which is called a Revolution is no more than an Abrogation of numerous abuses that have been accumulating for ages, through the errors of the People, or the power of the Ministers, which never was the power of the King. And those abuses were no less prejudicial to the Monarch than to the Nation. Those abuses, authority, under happy reigns, had never ceased to attack ; but without the power to destroy. They exist no longer. The Nation, now, the Sovereign, has no citizens but such as are equal in rights ; no despot but the law ; no ministers but public ministers, and of those ministers the King is the chief. Such is the French Revolution.

The Revolution must naturally have for its enemies all those who, in the first moment of error, regret, on account of their private interest, the abuses of the antient government. Hence the apparent division in the kingdom ; which is daily becoming less : hence, perhaps, some severe laws, and circumstances which time will correct. But the King,—whose true power can never be distinct from that of the Nation, who has no aim but the happiness of the People, and no authority but that which is delegated to him ;—the King has adopted, without reserve, a happy Constitution, which will at once regenerate his Authority, the Nation, and the Monarchy. All his powers are reserved to him : except the dreadful
power

power of making Laws: he remains charged with the power of negotiating with foreign powers; with the care of defending the kingdom, and repelling its enemies: but the French Nation will, in future, have no external enemies but its aggressors: no internal enemies but those who, still flattering themselves with vain hopes, believe that the will of twenty-four millions of men restored to their natural rights, after having organized the kingdom in such a manner as to leave only the memory of ancient form and abuses, is not an immoveable and irrevocable Constitution.

The most dangerous of those enemies are they who affect to disseminate doubts of the intentions of the Monarch. They are much to blame or much deceived. They suppose themselves the only Friends of the King; and they are the only enemies of Royalty. They would have deprived the King of the love and confidence of a great Nation, if his principles and his probity had been less known. What has the King not done to shew, that he considered both the Revolution and the French Constitution as his Titles to Glory? After having accepted and sanctioned all the Laws, he has neglected no means of causing them to be executed. Since the month of February, of the year preceding, he has promised, in the bosom of the National Assembly, to maintain them. He has taken an oath to do so in the midst of the general federation of the kingdom. Dignified by the title of the Restorer of French Liberty, he will transmit to his son more than a Crown; he will transmit a constitutional Royalty. The enemies of the Constitution are constantly repeating, that the King is not happy; as if it were possible for a King to enjoy any happiness but the happiness of his People. They say, that his authority

is lessened ; as if authority founded on force, were not less powerful and more precarious than authority founded on law. They say, that the King is not free : a calumny atrocious, if they suppose that his will must be constrained ; absurd, if they take, for a want of freedom, the consent repeatedly expressed by his Majesty, to remain among the citizens of Paris ; a consent that was due to their Patriotism ; even to their fears ;—but above all to their love.

Those calumnies, however, have reached foreign courts : they have been repeated there by Frenchmen, who are voluntary exiles from their country, instead of sharing its glory ; and who, if they were not enemies, have deserted their nation as citizens. The King, Sir, charges you to defeat their intrigues and their projects : and the same calumnies, while they spread the falsest ideas respecting the French Revolution, have rendered the intentions of French travellers suspected by several nations ; and the King expressly orders you to protect and defend them.—Represent the French Constitution in the same light as that in which the King views it : and leave no doubt of his intention to maintain it to the utmost of his power. By securing the liberty and the equality of the citizens, that Constitution founds the National Prosperity on the most immovable basis : it confirms the royal authority by the Law : it prevents, by a glorious Revolution, that Revolution which the abuses of the old Government would probably soon have effected, by a dissolution of the Empire. And finally, it will constitute the happiness of the King.

To justify it, to defend it, and to consider it as the rule of your conduct, ought to be your first and most important duty.

I have frequently before communicated to you his Majesty's sentiments on this head: but after the information he has received of the opinion endeavoured to be established in foreign courts respecting what is passing in France, he has ordered me to make known the contents of this Letter at the Court at which you reside: and that it may be still more public, his Majesty has ordered it to be printed,

22 Apr. 1791.

(Signed)

MONTMORIN.

No. VI.

Extent of Representation and Mode of Election.

Translation of part of a Letter from a French Gentleman, to the Author of the foregoing Remarks.

28 Dec. 1790.

" France is divided into 83 *Departments*. In each Department there are several *Districts*: of which the number varies from 3 to 8. Lastly, in each District there is a certain number of *Cantons*."

In the principal place of the *Canton*, the *Primary Assembly* forms itself. Every Citizen of France paying 3 *livres* of tax, enrolled in the National Guard, and having taken the *Civic Oath* *, has a right to vote in the Primary Assembly."

" To

* *Civic Oath*. " I swear to be faithful to the Nation, to the Law, to the King: and to maintain with all my power, the Constitution decreed by the National Assembly, and accepted by the King †."

† A Paris chez Baudouin, Imprimeur de l'Assemblée Nationale, 1790.

—Je

" To avoid the tumult of too numerous Assemblies, the Cantons are so composed, that the number of votes in each is usually 490, and never more than 600."

" In those towns where there is a great number of Citizens, who directly share in government (*de Citoïens actifs*) by the exercise of the right of suffrage, several of these assemblies are formed, which deliberate at the same time."

" Every Primary Assembly has the free Constitution and organization of itself. The most aged Citizen presides. The three next in seniority are *scrutators*. And thus the Assembly proceeds to chuse its President and Secretary by ballot."

" Each Assembly names *one Representative* for every 100 active Citizens present, or absent, enrolled on the Civic List;" "and these Representatives are called *Electors*. The Re-union of these Electors from all the Cantons in each Department, gives a number of about 7 or 800. When they are completely chosen, they meet on a day fixed in the chief place of the department."

" There, after having freely formed themselves into an Assembly, which is called *Electoral*, they proceed to the Election by ballot, of Representatives in the *National Assembly*, of executive *Administrators* in the departments, and of *Bishops*."

" This Assembly lasts only 15 days. The Election concluded, it has no other function, and dissolves of course."

—Je jure d'être fidèle à la Nation, à la Loi, au Roi, & de maintenir de tout mon pouvoir la Constitution décrétée par l'Assemblée Nationale, et acceptée par le Roi.

La Declaration des Droits de l'Homme & du Citoyen, mise à la portée du tout le Monde.

" You

" You see, Sir, that there is but one intermediate step between the People and those who execute the *legislative* and *administrative* Power."

" Perhaps it were better that the People should elect without any intermediate.—But . . . to admit this it will be necessary to wait until the Constitution has had some time to produce its effect upon the Nation. At least, you will agree, that this Form of Election, this division into Assemblies of moderate number, which avoids tumult, is preferable to that where the Election being made in one place of general concourse, the ambition of the candidates often causes the sacrifice of human life. At the same time, it is one of those questions, which are of the greatest importance, and merits all the attention of every Lover of Freedom."

No. VII.

I thought it incumbent on me in preparing this *second* Edition, to read the *ninth* of Mr. *Burke*; which is either the last, or at least the latest I have been able to procure. I have read it through very carefully. There are two corrections; one merely verbal, the other in a Note to p. 259: (all the references to pages will serve for this 9th Edition as for the preceding,) in that note Mr. *BURKE* allows one step less between the representative legislator and the constituent, than he had stated on the Report of the Committee, the Resolve of the National Assembly having so far simplified the Mode of Election. It is observed, this does not remove the main objection of the first constituent being disconnected from the actual Legislator. But it removes, however, a complexity from which it was of no small importance to vindicate

vindicate the plan of the Constitution, and shews a disposition to admit all the simplicity which in the actual circumstances is deemed possible. I trust, that deliberation and experience, the tranquillity and security of a settled system, the manners and the habits, inspired by the exercise of a free government, will remove all difficulty as to the single intermediate step which remains. Political, like all other human perfectibility, is relative and progressive.

In FRANCE they call on Mr. BURKE for other Corrections of Fact *.

They say he has stated 1720 Districts, which is three times the actual number. He still states them in his 9th Edition. They say he has been essentially misinformed in their expenditure and in their debt. They say he has mistaken incidental evils (and these exaggerated by distance and misintelligence) for systematic; and momentary for permanent; and they ask where Mr. BURKE lives, to suppose their *Assignats* depreciated? They ask where he finds, in the language or conduct of the National Assembly, *the dilapidation of the Public Revenues*, represented as a *relief to the People* †; and they appeal to the ACTS of the NATIONAL ASSEMBLY, as a Reply to this Assertion.—They use a language, which I as an individual shall not use, but which, when it has been used by an individual here, however eminent and respected, towards the fullest and freest Representation of a great Community that ever yet existed in Europe, it cannot be wonderful to find retorted by individuals there. They leave him his Logic, his Metaphysics, his Geometry, his political Classification, in full right and undis-

* Le Patriot François, 2 Janv. 1791.

† Letter of Mr. Burke, p. 358. 9th Edition.

puted possession. But they think all these Arcana of Mr. Burke will neither make a Constitution, nor prove theirs to be a bad one. They allow to the quick and incessantly repeated flashes of his fire against *Rousseau*, the *social Contract*, the *Rights of Men*, as much effect as to the *feu petillant* of *Voltaire*, when exercised on the same subjects. But they are convinced the fame of *Rousseau* has an ample indestructible base. They look to those who have aided the progress of intellectual Light and Freedom, as destined to be remembered with honour, while the empire of Reason, of Humanity, shall subsist. And they have a just and generous confidence, that these blessings are too widely diffused, too deeply imbibed, to be lost in France in any future generation. Mr. BURKE has merited, and I trust is still deserving, a place amongst the benefactors of human Society: and compared with this the liveliest fallies of wit and fancy, even when not misdirected, are a slight appendage to fame thus earnt. When misdirected, they are a deduction which esteem to the individual, regard to genius and to the interests of mankind, always obliges us deeply to regret.

No. VIII.

SINCE this was sent to the Press, I have had the satisfaction of reading the part hitherto published, of Mr. CHRISTIE's excellent LETTERS on the REVOLUTION of FRANCE, and the NEW CONSTITUTION. I refer the Reader, who is anxious for the Cause of Freedom, to the fourth of those Letters, for the *Territorial Division*, the *Administrative Assemblies*, and the Mode of electing
the

the National Assembly. He will find that Mr. Burke's N^o 1, 2, 3, 4, &c. to which no Citizen can have a particular relation; his geometrical squares in the room of natural divisions of a country, do not exist in the actual territorial Division. He will find the error rectified which I have mentioned as to the Mode of Election: and that there is but *one* intermediate between the Citizen who votes in the primary Assembly, and the Legislator. He will see the Phantom of Mr. Burke's numerous *Republics* disappear: and that one uniform, and simple and energetic Constitution pervades the Territory of *France*.

He will see that those *Lawyers* in the *National Assembly*, whom it has pleased Mr. Burke to delineate in such colours, have exerted themselves more than any body of men have ever done, of whom I can recollect the mention in the History of any great Nation, to set "*every Man within the reach of Right*;" that glorious wish of our benevolent and philosophic Poet. I know the innumerable and daily grievances of the poor of this country, which cannot, which even ought not to be left to the summary jurisdiction of the Justices of the Peace, as at present constituted; and which are utterly out of the reach of any other legal remedy, without intolerable delay and ruinous expence. He will see the benevolent attention of the *National Assembly*, in establishing the *Bureaus of Peace and Conciliation*; in encouraging *Arbitration* and giving Stability to its Awards; in establishing the *Family Tribunal* to prevent the indecent and bitter litigations of near relatives. In these provisions they have apparently had in view, but with improvement, the institutions and usage of antient *Rome*, in the best ages of the Republic. He will see, that there is provided a *Great Court of Criminal Jurisdiction* in every *Department*;
which

which in such a territory as *France*, must comprehend an extent more than equal to the medium of our circuits; a Jury of Accusation of *eight* analogous to our *Grand Jury*; and a Jury of *twelve* for Trial in *criminal Cases*. A *Military Jury* for the Trial of *soldiers* and *sailors*. A Provision for succession in case of *intestacy**; which may admit of improvement, but which is far preferable for the interests of a free community, and of domestic happiness to that *droit d'aînesse*, which founded the fortunes of one out of many children, on the exclusion and poverty of the rest. He will find in the Decree for the Abolition of Titles and armorial Bearings †, an attentive reservation with respect to the past, for the security of charters, title deeds, the subsisting decorations of public and private places; the monuments placed in churches, and the customs and opinions, and personal inclination of foreigners. He will find ‡, out of respect to Liberty and foreign Nations, the Decree destroying the *symbols of servitude*, and haughty inscriptions insulting to other Nations. He will recognize the simple and generous Dignity of Freedom. He will find § the provision for those of the *monastic* orders, who wish to continue in their accustomed habits of life; and liberty to the rest to quit those houses. He will observe || the declaration in favour of the *Protestants* of *Alsace*, founded on the express principle, that "*differences of religious opinion ought to have no influence in votes at Elections; and that in the choice of those who are to fulfil the duties of public offices, no regard ought to be had to any thing but abilities and virtue.*" He will notice the noble Resolution on a

* 12 Mar. 1791. † Append. p. 120. 1. No. xxxi. 19 June, 1790.

‡ P. 119, No. xxx. 19th and 20th of June, 1790.

§ 13 Feb. 1790, No. xxiv. p. 92. || No. xxxii.

Motion made in the *National Assembly* for an exclusive establishment of the *Catholic Religion*: that "*the National Assembly considers it has not, and cannot have, the exercise of any power over the conscience, or over religious opinions.*"

I own I think, the important right of voting *, has its exercise much too long suspended, by being postponed to the age of *twenty-five*. To *Morals and Patriotism*, as well as to political Freedom, an earlier admissibility to the exercise of this right would be, I am persuaded, much more conducive. I think that a regulation may be devised, and I trust it will, considering the wisdom and liberal spirit of *France*, which shall render the exclusion of *Servants* from the exercise of that right, totally unnecessary. The *French Nation* has been long distinguished for mildness and courtesy in the conduct of heads of families towards their domestics: the transition therefore to the exercise of perfect political freedom, will have the fewer prejudices and habits to impede its progress. The exclusion of those "*qui divitiis tantum incubuere repertis*;" who have not, from the property which has devolved to them, made their proportional payment of the just claims on it, is, I think, wisely modified, exemplary and salutary.

But I ought not to conceal my concern on the Resolution relative to *Instructions* †; which declares ‡, that "*the Members of the National Assembly shall, after their Constituents have declared their confidence in them, by electing them as their Representatives, be entitled to act agreeably to their judgment, and shall not be constrained by any authoritative Mandate from their Constituents.*" Certainly, as Mr. *Christie* remarks, there are differences

* P. 163. † Const. Sect. I. Art. xxxiv.] ‡ P. 193.

of opinion amongst us on this point. Many years past I had a long correspondence with a Gentleman, whose abilities and general knowledge are much respected. He maintained that side of the question which Mr. *Christie* adopts, and advanced every thing which I thought could be advanced in its support. I was not then, nor have since been, convinced. I think Representatives assemble in a free state to exercise that power, in right of the Community, which the Community itself, if actually assembled, would possess. There are certainly many points on which the representative will have, during the course of deliberation and debate, lights to guide his judgment which have not occurred to his Constituents. Where there is a free, an equal, and a general Representation, I have no idea of the hazard, that the People on such points will want the necessary confidence in their Representatives so chosen. I have no imagination of a possibility, politically to be regarded, that elective bodies of a People thus represented, will instruct wantonly and capriciously. The reasons which make it necessary to their convenience to be represented, and the grounds of confidence they will have in real Representatives, will be sufficient security against this. But they may have formed an opinion on a question of expedience; and if authentically declared, where there is a real Constitution which gives the fair weight and efficacy to public suffrage, it ought to be decisive. It is true, that on a question for continuing the late war against *America*, or since, on a question against the *Abolition* of the *Slave Trade*, or now if Mr. *Burke* could set forward his *Croisade* against the *National Assembly* and *Constitution* of *France*, these are points in which every man should be governed by his conviction of immutable right; but go-

verned—not to vote *against* the *Instructions* of his Constituents; I perceive not any right he has to do this;—but to vacate his seat which he holds as their Representative, because he cannot and ought not to vote according to those Instructions; and because, therefore, if they will insist on them, he cannot be their *Representative*.

I have expressed my thoughts unreservedly.—On the great question of the VALIDITY of the CONSTITUTION of FRANCE, I do not think the RIGHT of INSTRUCTIONS has, in the actual circumstances, any effect. Much of necessity was done, from the nature and object of the Delegation, *without* Instructions; much on *general* Instructions; something, perhaps, against the *Letter* of Instructions; but which has been ratified by the subsequent acceptance and approbation of the great Body of the People, in the freest and most ample manner.

No. IX.

Great Branches of Reform already effected; and concerning which it is presumed few will disagree.

The Abolition of arbitrary and partial Imposts.

The Abolition of Lettres de Cachet, and all other means by which Persons were liable to severe and indefinite Punishments without Trial or Enquiry.

The Destruction of the *Bastille*, and of all other Places of cruel and inextricable Confinement, in which Persons innocent or meritorious, might languish out their Lives in extreme Suffering and Despair, without their imputed Crimes, their Accusers, their Situation, their Life or Death being known to the Public, or to any interested in their Relief.

The

The Abolition of unknown and unlimited Pensions for no Service, or the worst Injuries to Individuals, and Crimes the most dangerous against the Community.

The Extinction of venal hereditary Offices of Justice.

The Surrender of local provincial Privileges, incompatible with a general System of national Constitution.

The Establishment of Trial by Jury in criminal Cases.

The Establishment of a Representation of the People, full, free, and equalized in a very high Degree.

Other Branches of Reform,

already executed, concerning which it is presumed a great part of the consistent Friends of Freedom and human Happiness will agree.

The Encouragement to Freedom of Enquiry.

The Suppression of the summary, arbitrary, and local Power of administering Justice in confined limits, and not subject to the public eye, exercised by Lords of Manors.

The Suppression of the Game Laws.

The Suppression of other partial, arbitrary, and oppressive Privileges over the Persons and Property of the People.

The Abolition of first fruits and dues to the Pope : as a badge of dependance on a foreign Jurisdiction.

The Suppression of Plurality of Benefices.

The Abolition of Tythes : and the Substitution of a Provision for the Clergy, less discouraging to agricultural Improvement, less injurious to the effect of their instructions, and more compatible with Peace and good Intelligence between them and their Parishioners.

The Removal of private Patronage in the public office of religious Instruction.

Let the whole be considered, with those subsequent benefits which interest the whole Community of *France*, in almost every object of importance to individuals or to society which a Constitution can secure, (a summary of the principal is contained in No. VIII. of this Appendix,) and with all deductions of Defects or positive Errors, (such as have principally appeared in that light have been already intimated) if any Framers of a new Constitution have acted for a great People under a more full, free, and equal Delegation, with more Energy, more liberal Views, more Fortitude, more Fidelity * and Desire of public Information, let those who point to such not fail to announce them: those who cannot may be rationally expected to be candid in their Interpretation and temperate in their Censure, if they would entitle themselves to the Confidence and Esteem of the Public, or would render service to FRANCE, or to any other Country, by their Reflections. For many of those of Mr. BURKE I have testified a sincere Respect: and should be concerned, perhaps more than many of his Friends, if their Utility should be impaired, to the degree which may be feared, by any immoderate and repulsive vehemence in the Mode of conveying them. I am more concerned than surprized if, amidst the storms of State and the irritation of Parties, the Equanimity of the philosophic Politician has been, for the time at least, overcome; though much of the Sagacity and Philanthropy of that Character is still retained.

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6 June, 1791.

* Their Disinterestedness has been applauded in the highest Terms in a *Letter to Earl Stanhope*: which, from the Style and Sentiments, the Public Judgment has, with reason, referred to one of the first Writers of our Age. *Vide* p. 90—1.

F I N I S.

